
SENATE RESOLUTION

URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO
FOLLOW AND ABIDE BY THE PUBLIC NOTICE REQUIREMENTS FOR ITS
MEETINGS PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES.

1 WHEREAS, the affairs of the University of Hawaii fall under
2 the general management and control of the Board of Regents,
3 pursuant to article X of the Hawaii State Constitution and
4 chapter 304A, Hawaii Revised Statutes; and
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6 WHEREAS, the Board of Regents is responsible for
7 formulating policy and exercising control over the university
8 through the university President and has exclusive jurisdiction
9 over the internal structure, management, and operation of the
10 university; and
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12 WHEREAS, while the Board of Regents has jurisdiction over
13 certain matters, the Hawaii State Constitution is clear that the
14 Legislature maintains its jurisdiction over matters of statewide
15 concern, including adherence to the State's Sunshine Law; and
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17 WHEREAS, according to article IV of the bylaws of the Board
18 of Regents, all meetings of and public appearances before the
19 Board of Regents and its standing committees shall comply with
20 chapter 92, Hawaii Revised Statutes; and
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22 WHEREAS, chapter 92, Hawaii Revised Statutes, includes
23 provisions related to public agency meetings and records,
24 including public notice requirements; and
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26 WHEREAS, section 92-7, Hawaii Revised Statutes, requires
27 that boards, including the Board of Regents, give written public
28 notice of any regular, special, emergency, or rescheduled
29 meeting no less than six calendar days prior to the meeting; and
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31 WHEREAS, concerns have been raised that the Board of
32 Regents is not adhering to public notice requirements, as the



1 Board has posted late hearing notices for meetings it has
2 conducted; and
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4 WHEREAS, it is important that the Board of Regents
5 consistently follow public notice requirements and provide
6 sufficient details as to what transpired at the meeting to
7 ensure transparency and public accountability regarding its
8 decisions related to the management and operations of the
9 University of Hawaii; now, therefore,
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11 BE IT RESOLVED by the Senate of the Thirtieth Legislature
12 of the State of Hawaii, Regular Session of 2019, that the Board
13 of Regents of the University of Hawaii is urged to follow and
14 abide by the public notice requirements for its meetings
15 pursuant to chapter 92, Hawaii Revised Statutes; and
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17 BE IT FURTHER RESOLVED that the Board of Regents is urged
18 to consider posting hearing notices for its meetings earlier
19 than the minimum number of days required, including but not
20 limited to at least six full days; and
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22 BE IT FURTHER RESOLVED that the Board of Regents is further
23 urged to record more detailed minutes of its meetings, including
24 specifically identifying members who made statements and
25 minimizing generalizations, in order to give a true reflection
26 of the matters discussed and the views of the participants, as
27 required by section 92-9(a), Hawaii Revised Statutes; and
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29 BE IT FURTHER RESOLVED that certified copies of this
30 Resolution be transmitted to the Chair of the Board of Regents
31 of the University of Hawaii, President of the University of
32 Hawaii, and Director of the Office of Information Practices.
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